

MINUTES

CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION CITY COUNCIL CHAMBERS, CARSON CITY HALL

701 East Carson Street, Second Floor
Carson, CA 90745

February 14, 2012 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletoogo called the meeting to order at 6:37 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Schaefer led the Salute to the Flag.
3. **ROLL CALL**

Planning Commissioners Present: Diaz, Faletoogo, Goolsby, Gordon, Schaefer, Saenz, Verrett, Williams

Planning Commissioners Absent: Brimmer

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, City Attorney Wynder, Associate Planner Song, Planning Technician Alexander, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Diaz moved, seconded by Vice-Chairman Gordon, to approve the agenda as presented. Motion carried, 8-0 (absent Commissioner Brimmer).
6. **INSTRUCTIONS TO WITNESSES** Chairman Faletoogo requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation.
7. **SWEARING OF WITNESSES** City Attorney Wynder
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. 1) William Davis, resident, thanked the Commission for their

efforts and encouraged them to keep up the good work. 2) Christian Islas, representing the property owner at 20920 South Main Street, Mr. Tong, asked that this property be placed on a Planning Commission agenda so they can get his client's business in operation, noting they are having difficulty getting through the Planning process.

9. CONSENT CALENDAR

A) Minutes: December 13, 2011; December 15, 2011

MOTION: Commissioner Diaz moved, seconded by Commissioner Schaefer, to approve the December 13, 2011, and December 15, 2011, Minutes as presented. Motion carried, 8-0 (absent Commissioner Brimmer).

10. CONTINUED PUBLIC HEARING None

11. PUBLIC HEARING

A) Design Overlay Review No. 1440-11

Applicant's Request:

The applicant, Motel 6, represented by Beto Alvarez of A&S Constructors for Carson Hospitality Group, Inc., requested approval of an exterior remodel of Motel 6 (formerly the Clarion Hotel), parking area, landscape and general site improvements in the CR-D (Commercial, Regional – Design Overlay) zoning district. The property is located at 850-888 East Dominguez Street.

Staff Report and Recommendation:

Planning Technician Alexander provided staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Design Overlay No. 1440-11, subject to conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 12-2423, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1440-11 to remodel a motel building and perform parking, landscaping, and general site improvements to a property located at 850-888 East Dominguez Street."

Planning Officer Repp noted for Commissioner Schaefer that the pole sign is a legal, nonconforming sign, noting it is five feet over the height limit.

Chairman Faletogo opened the public hearing.

Beto Alvarez, applicant's representative, stated that they agree with the conditions of approval; and that all the materials they use are nonhazardous and have proper safety approved ratings. He advised that the parking lot will be improved and that both buildings will be painted the same color.

There being no further input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Williams, to approve staff recommendation, thus adopting Resolution No. 12-2423. Motion carried, 8-0 (absent Commissioner Brimmer).

12. NEW BUSINESS DISCUSSION

A) Conditional Use Permit No. 823-10

Applicant's Request:

Staff is requesting the Planning Commission approve a facility closure agreement for an auto repair business on a site located in the ML-D (Manufacturing, Light – Design Overlay) zoning district. The subject site is located at 20922 South Main Street, Carson, CA 90745. The business operator is Jacqueline Adame, and the property owners are David Drorbaugh and George R. Jimenez, Sr.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation that the Planning Commission approve the facility closure agreement or instruct staff to initiate revocation proceedings pursuant to CMC Section 9172.28. She advised that staff has since met with the applicant and noted that the green canopy has been removed. She added that the applicant is seeking 10 to 12 months and that staff is recommending 6 months. She advised that the property owners will not sign the agreement.

City Attorney Wynder stated that while their signatures would be optimal, it is not required that they sign the facility closure agreement.

Jacqueline Adame, business owner for Carburetor Land, expressed her confusion that she was originally granted one year to close and that she would like to run that full year out, at least until October, noting that 6 months is not enough time to determine whether her business will stay or leave this site. She stated that her business is up and down and noted that if business improves, she'll relocate; but added that the sites she has looked at have been more expensive than what she can afford.

Commissioner Goolsby, echoed by Commissioner Verrett, noted his understanding the Commission granted Ms. Adame a full year, to October 25th, and stated it is only fair to allow her to stay until that time.

Planning Officer Repp clarified that the one-year approval was to construct a legal building wherein auto repairs could be performed; and she reminded the Commission that outdoor auto repair is not allowed by code.

Commissioner Diaz asked Ms. Adame if she is current on her rent.

Ms. Adame indicated yes.

Commissioner Williams asked if Ms. Adame has sought professional help to assist her through this process.

Ms. Adame stated she is now getting professional guidance.

Vice-Chairman Gordon asked Ms. Adame if she is seeking more time in order to stay at this site.

Ms. Adame explained that she needs more time to look for another place to relocate this business, reiterating that she has not yet found a place she can afford.

Vice-Chairman Gordon stated that the facility closure agreement is for the closure of this business at this site and asked why she is seeking ten more months to operate.

Ms. Adame stated that she had counted on the year the Commission had recently granted her to stay on site; and advised that she had removed the unpermitted signs and the canopy. She stated that she needs the lift to repair the cars, pointing out that using portable jacks is hazardous.

Chairman Faleto go questioned whether staff is providing enough time or assistance.

City Attorney Wynder stated that Ms. Adame has indicated she needs money to relocate; stated that the applicant has confirmed she does not have the money to make the necessary improvements; and stated that if she cannot find the funds to relocate or make the improvements, she must close down this business at this site.

Planning Officer Repp advised that staff has met with the applicant several times; pointed out that the lift was supposed to have been removed in November 2011 and now staff is giving her until March 2012 to remove the lift; and she pointed out that staff has been very clear with Ms. Adame about the schedule to eliminate the violations. She stated that if Ms. Adame continues this business, it needs to be in an enclosed building that has proper/safe automobile bays.

Zeke Vidaurri stated he is consulting with Ms. Adame on this process; and he stated she will be moving from this location but noted that she needs the full year to earn more funds to find a new location. He stated that the lift was already on the premises before Ms. Adame took the business over and that she did obtain a business license; and stated that she is now being penalized when an inspector should have told her it was not legal, noting she could have negotiated with the owners if she knew she couldn't use the lift in the beginning. He stated that the owners of the property have abandoned her and are not willing to help make any improvements to their property. He stated that they are actively looking for another site and he asked that she be allowed to continue to use the lift so she can make the money to relocate. He stated that the City needs to relax its policies in this difficult economy.

City Attorney Wynder advised that a site visit is not protocol for the granting of a business license.

Planning Officer Repp stated that Ms. Adame inherited her father's business and took it over in an as-is condition.

There being no further input, Chairman Faleto go closed the public hearing.

Commissioner Goolsby stated that he is willing to allow the applicant the additional two months she is seeking due to the poor economy and that the deadline should be extended to October 25, 2012.

Vice-Chairman Gordon asked if that would allow the applicant to continue to use the lift.

Planning Officer Repp stated that the lift cannot be used and that if need be, they will have to use car jacks.

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Commissioner Verrett, to approve the facility closure agreement, modifying 1b) of the Facility Closure Obligations, changing the word "east" to "south"; and changing the date on 1c) and 1d) to October 25, 2012. The motion carried as follows:

AYES:	Faletogo, Goolsby, Saenz, Schaefer, Verrett
NOES:	Diaz, Gordon, Williams
ABSTAIN:	None
ABSENT:	Brimmer

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT

Planning Officer Repp reminded the Commission of the February 24, 2012, South Bay Cities Council of Governments 13th Annual General Assembly, Community Center, 9:00 A.M to 2 P.M.

Planning Officer Repp stated that the next Planning Commission agenda will include some information on the status of the closure of the redevelopment agency and the contractual obligations the Housing Authority will be handling.

Planning Officer Repp advised that Sunny Soltani will be returning for the next Planning Commission meeting and she thanked Mr. Wynder for his attendance at these meetings during her maternity leave.

15. COMMISSIONERS' REPORTS

Commissioner Saenz asked for a status report on the International Body Shop.

Planning Officer Repp advised that the applicant has yet to submit their plans.

Commissioner Schaefer asked for further input on the business at 20920 South Main Street, referencing tonight's oral communication.

Planning Officer Repp stated that there is a lot of code enforcement activity taking place along Main Street and noted that staff will follow up to determine what the violations are on this site.

Chairman Faletogo thanked staff for being persistent in their attempts to gain code compliance along Main Street, noting that while it is a difficult economy, it is important to stay on the right path for the future of the city; and thanked City Attorney Wynder for his efforts at these meetings. He noted how hard it can be for people to let go of a sentimental business that is struggling to survive.

Commissioner Goolsby complained about the handicapped parking at the Community Center being far away from the front entrance.

Commissioner Verrett wished everyone a happy Valentine's Day.

16. ADJOURNMENT

At 7:46 P.M., the meeting was adjourned to Tuesday, February 28, 2012, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary